

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

March 22, 2012

5:30 P.M.

MINUTES

Present: Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

Absent: Mayor Donald Kasprzak

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on March 15, 2012 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Case

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending March 21, 2012 in the amount of \$ 245,130.31 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Case

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of March 15 – March 21, 2012
- Report from the Building Inspector's Office from July 5, 2011 – March 20, 2012
- Report of Public Hearing held by the Zoning Board of Appeals on March 19, 2012

RESOLVED: That the reports as listed are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Rabideau

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS:

- Letter received from NYS GIS Association that Engineering Aide Dave Brown is the recipient of the NYSGIS Association's 2011 Award.

Councilor Carpenter said Congratulations to Dave Brown

Councilor Calnon said it is a very good thing. It's very good for him and very good for the City he has done a good job. GIS has come a long way in the last few years.

Councilor Carpenter said (to City Engineer Kevin Farrington) please let him know we're proud of him.

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council in the amount of \$ 1,466,084.06 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Case

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL: None

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves city taxicabs to adopt a new fare schedule that increases the fare by one dollar.

By Councilor Carpenter; Seconded by Councilor Case

Discussion:

Councilor Tiffer said I just personally can't justify increasing the fare \$1 for individuals that rely on the taxi as a transportation source.

Councilor Jackson said SUNY has actually contacted with Clinton County Public Transit to run a shuttle around the campus because of all the construction. So I have worked very closely with Maggie Barie from Clinton County Public Transit and she sent me an email when this first came up. [Councilor Jackson read and submitted her email in to the minutes.] **Councilor Jackson** said so there is very affordable transportation in the city. It's not as convenient as a cab, but, I think Mr. Buck gave a very coherent argument for this increase. Therefore, I am going to vote in favor of it.

Councilor Carpenter said I am glad you read that Chris and I got to believe that mode of transportation is under-utilized. I was really interested in putting a link to their website on our website. I got to imagine anyone who might be upset about what happens here tonight would look on

our website for email addresses and if there were a link to find out what the route is and the times and stuff that would be very helpful not only for public transport but for people who live in the city.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(Councilors Carpenter, Rabideau, Calnon, Case and Jackson voted in the affirmative. Councilor Tiffer voted in the negative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves the Superintendent of Recreation to hold the Rockeater Adventure Race on Saturday, September 15, 2012 at the City Beach.

By Councilor Tiffer; Seconded by Councilor Case
Discussion:

Councilor Tiffer said it was a pleasant surprise last year how successful the Rockeater was I'm glad that Steve Peters wants to pursue doing it annually and I can assume it is going to be even better this year.

Councilor Calnon said maybe I'll race this year.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves MLD to write-off unpaid final bills from February 1, 2011 to February 28, 2011 in the total amount of \$5,268.43. The percentage of write-offs for this period is .26%.

By Councilor Jackson; Seconded by Councilor Carpenter
Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain's office to establish Capital Project H8320.71 "2012 Water System Upgrade Project."

By Councilor Jackson; Seconded by Councilor Rabideau
Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. Motion to waive rule 4 for initial consideration “Request from Jonathan Ruff Environmental Manager that “Akey Landfill – Barton and LoGuidice Engineering Services Amendment” be authorized and the Mayor to sign all necessary paperwork. There is no additional cost for this amendment.

By Councilor Jackson; Seconded by Councilor Tiffer

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

RESOLVED: In accordance with the request therefore the Common Council approves that the “Akey Landfill – Barton and LoGuidice Engineering Services Amendment” be authorized and the Mayor to sign all necessary paperwork. There is no additional cost for this amendment.

By Councilor Jackson; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves Mayor Kasprzak to attend the NYCOM 103rd Annual Meeting in Saratoga Springs, NY from May 6 - 8, 2012 at an estimated cost not to exceed \$1,000.

By Councilor Jackson; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves Bill Treacy, Manager MLD to attend the “MEUA Semi-Annual meeting” in East Syracuse, NY from April 23-25, 2012 at an estimated cost not to exceed \$435.

By Councilor Jackson; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves a Police Officer to attend the “Breath Test Operator Instructor School” in Warren County, NY from April 2- 6, 2012 at a cost not to exceed \$650 and will be expensed to the Asset Forfeiture account (DOJ) Funds.

By Councilor Carpenter; Seconded by Councilor Case
Discussion: None
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves Kevin Farrington City Engineer to attend the “New York State Planning Federation Annual Conference” in Saratoga Springs, NY from April 16 – 17, 2012 at an estimated cost not to exceed \$268.

By Councilor Tiffer; Seconded by Councilor Carpenter
Discussion: None
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves a Police Officer to attend the “Mandatory Yearly Drug Recognition Expert Recertification Training” in Cooperstown, NY from April 9 – 10, 2012 at cost not to exceed \$143 and will be expensed to the Asset Forfeiture account (DOJ) Funds.

By Councilor Carpenter; Seconded by Councilor Case
Discussion: None
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves two Police Officers to attend the “State Preparedness Training Center M4/AR-15 LE Operator Familiarization Course” in Oriskany, NY from April 12 – 14, 2012 at a cost not to exceed \$590 and will be expensed to the Asset Forfeiture account (DOJ) Funds.

By Councilor Carpenter; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request for approval of revisions to the Economic Development Revolving Loan Fund Program Guidelines which were last adopted on June 2010 and revised on 9-20-2010.
2. Request from Carrie Trombley to hold a Zumbathon at the City Recreation Center on Saturday, May 19 from 3pm-5pm to benefit the Cystic Fibrosis Foundation.
3. Request from Kevin Farrington City Engineer to advertise for bids for Contract #2012-04 "Beekman Street Roadway & Waterline Improvements, Broad Street – Cornelia Street."
4. Request from Bill Treacy Manager MLD that Contract # 2012-1-1 "St. Lawrence 1 and St. Lawrence 2 Substation Upgrades – Phase 1 Structures and Equipment Package" be awarded to Distran Package Substations, LLC for the total amount of \$373,803.
5. Request from Kevin Farrington City Engineer to advertise for bids for Contract #2012-06 "Sailors Beach Flood Damage Repair."
6. Request from Bill Treacy Manager MLD to advertise for proposals for Contract #2012-4-1 "Proposal for Copier Lease." Proposal submission date May 1, 2012 at 11am.
7. Request from Kevin Farrington City Engineer that noncompliant "Yield to Pedestrian Signs" be removed in conformance with New York State Codes, Rules and Regulations, Title 17 – Transportation.
8. Request from Club Caribbean to hold a "Street Jam Carnival" on April 21, 2012 (Rain date: April 28, 2012) from 1:00 – 3:00 p.m. Blocking off a section of Rugar Street from Memorial Hall to Hood Hall.
9. Request from Jonathan Ruff Environmental Manager that "Akey Landfill – Barton and Loguidice Engineering Services Amendment" be authorized and the Mayor to sign all necessary paperwork. There is no additional cost for this amendment.
(Move to agenda under "Other Items" Letter E)
10. Request from Kevin Farrington City Engineer for Engineering Aide David Brown to attend the "27th Annual New York State GIS Conference" in Syracuse, NY from May 15 – 16, 2012 at a cost not to exceed \$249.

11. Request from the City Chamberlain for Principal Account Clerk Barbara Phillips to attend “the Office of the State Comptroller’s class Introduction to Governmental Accounting” in Clifton Park, NY from April 18 - April 20, 2012 at a cost not to exceed \$592.

10. NEW BUSINESS:

Corporation Counsel John Clute spoke about the Plattsburgh Harbor Marina’s interest in expanding their operation with a revised proposal submitted for a 22 boat expansion. He wanted to know if this was an idea the Council wanted him to pursue further. There are some legal issues to consider in terms in how you describe this relationship it is next to park land that the state has made a big investment in we need to talk to them to make sure they don’t have any problems with it. He also said we need to make a decision about what to do with the building that was damaged a year ago.

Councilor Jackson said I agree with everything you say. I would really like a GIS map of where they want to put that stuff. You basically just described the pathway to do this. What does he want and is it going to cause any angst with the agencies that provided us money for the park.

Corporation Counsel John Clute said that is a key consideration when they did the park thing. The building was built and they paid for a good part of it for a tour boat operation. When we dedicated that Peace Point Park to the State of the New York and the money they spent on that we were careful to draw the lines in a way that carved out the section of water front and that tour boat building. So that it wasn’t actually encumbered by the deeded park land restrictions. I’m not saying that’s the end of it. I’m not saying they couldn’t have a problem with it. I think that probably we don’t confront the kinds of issues that clearly would prohibit us from building these kinds of things on that property.

Councilor Jackson said as long as we have a proposal that gives a map and gives an idea and we get the blessing. I need to see the map.

Corporation Counsel John Clute said we do have some very good aerial photographs of that whole area. There are some design standards for this stuff and I just want to make sure that he follows them.

Councilor Calnon said I think we’ve gone from an abstract and very large plan to honing in on something pretty specific. Rick has indicated that he has no problem working with them about getting the layout on an overhead picture so we can actually see. That will give us a chance to talk to our folks who are most knowledgeable of those things including Rick’s had a substantial amount of experience with the fishing tournaments and those kinds of things and he’ll bring that perspective to the table. So I think we should start to move ahead on this and keep in mind the package is we’ve got to do something with the building anyway and we need to at least respond to Spiegel’s proposal so that in about 2 weeks we should have a chance to looked at material, pose the kinds of questions we think need to be posed, maybe make an initial inquiry to Parks to be sure. So maybe in a couple of weeks will be able to bring some finality to this. I had another question and Kevin’s not here maybe you know the answer to this; did we get any FEMA money for the building?

Denise Nephew answered no it was ineligible.

Councilor Carpenter said who would hold the liability for damage to the boats that are docked there.

Corporation Counsel John Clute said it depends on how we structure the relationship. There are 2 choices. There are a lot of municipal marinas in New York State that are under private contract for operation and management although nominally owned by the municipality and I think that probably we were going to lease the hotel site and leased the hot dog stand before. We would probably need to do it on a straight lease basis depending on which way you do it I think would determine whether we would be insuring against the risk.

Councilor Calnon said will try and get something specific and get it here as quick as we can.

11. CLOSING PUBLIC COMMENTS: None

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

MEETING ADJOURNED: 6:03 pm